

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) No. 19CR277
)
CONCEPCION MALINEK,) Honorable Edmund E. Chang.
)
Defendant.)

DEFENDANT'S UNOPPOSED MOTION
TO RESCHEDULE SENTENCING HEARING

NOW COMES the defendant, CONCEPCION MALINEK, by and through her attorney, ROBERT L. RASCIA, and respectfully moves this Honorable Court to enter an order rescheduling the sentencing hearing in this matter.

In support thereof the defendant, through counsel, states as follows:

1. The defendant entered a plea of guilty to Count Ten of the superseding indictment in this matter on July 28, 2020, at which time a sentencing date of October 26, 2020 was scheduled .
2. The defendant entered a guilty plea through a plea declaration.
3. The defendant and counsel participated in a telephonic presentence investigation interview on August 24, 2020. The defendant's interview was conducted telephonically as she is in custody at the Livingston County Jail, and in-person visits are not currently allowed there.
4. Counsel has attempted to review the presentence investigation report by telephone with the defendant, but the review has not been successfully completed. Counsel has arranged video visits with the defendant which must be scheduled over

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multiple days, with a maximum of 2 hours per day. The defendant has requested in-person visits with counsel which will be accommodated as soon as allowed by Livingston County. Counsel has been advised that the decision to allow in-person attorney visits will be reviewed on a weekly basis, with no firm date currently set.

5. Counsel is requesting that the sentencing be scheduled for a date after November 18, 2020, in order to allow an opportunity to complete sentencing preparation through telephone and video visits, and via in-person visits once they are allowed again by Livingston County.

6. Counsel has discussed this request with AUSA Christopher Parente, he does not oppose this motion.

WHEREFORE the defendant respectfully requests this Honorable Court to reschedule the sentencing hearing in this matter to a date after November 18, 2020.

Respectfully Submitted,



ROBERT L. RASCIA,
Attorney for the Defendant

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